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December 1, 1998

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND

Ms. Magalie Salas, Secretary
Federal Communications Commission
1919 M Street NW
Room 222
Washington DC 20554

**Re: 1998 Biennial Regulatory Review — Amendment of Part 18 of the
Commission's Rules to Update Regulations for RF Lighting Devices
ET Docket No. 98-42 — Ex Parte Communication**

Dear Ms. Salas:

This is a written ex parte communication pursuant to Section 1.1206(a)(1) of the Commission's Rules.

I am authorized to state that the following entities support this letter: Bluetooth Promoters (Ericsson, IBM, Intel, Nokia, and Toshiba), Harris Corporation, Metricom, Symbol Technologies, Inc., and 3Com Corporation.

Representatives of several Part 15 interests, including the undersigned, met with Mr. Ari Fitzgerald, Office of Chairman Kennard, on November 23, 1998. We urged the Commission to consider the public interest in Part 15 spread spectrum operations, and to set in-band emission limits compatible with the successful operation of both Part 15 and RF lighting.

Mr. Fitzgerald invited us to draft rule language that would accomplish the desired ends as narrowly as possible.

Section 18.305(c) presently limits out-of-band emissions for RF lighting devices. Our proposed additional language on in-band emissions is marked with a double underscore.

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Ms. Magalie Salas, Secretary
December 1, 1998
Page 2

§ 18.305 Field strength limits

(a) Except as otherwise provided, ISM equipment operating on a frequency specified in § 18.301 is permitted unlimited radiated energy in the band specified for that frequency.

[* * *]

[Renumber § 18.305(c) as § 18.305(c)(1) and add this new § 18.305(c)(2)]

(2) Within the bands specified in § 15.247, the field strength limits for RF lighting devices, measured at 3 meters, shall not exceed 1 mv/m for equipment installed indoors, and 10 mv/m for equipment installed outdoors.

In-band limits are necessary because RF lighting devices are more likely than other ISM equipment to disrupt critical Part 15 operations. RF lighting devices will be marketed to many of the same commercial and industrial locations that use sophisticated Part 15 equipment. They will tend to be deployed in greater numbers at a given site than other ISM devices, and can also cause interference from adjacent sites, as well as from nearby public property such as parks and roadways. Unlike most other ISM equipment, RF lighting devices will ordinarily operate continuously for many hours at a time.

RF lighting devices do not depend for their operation on emissions beyond the confines of the device. RF experts in the Part 15 industry are confident that inexpensive shielding measures can limit the emissions from RF lighting devices, while diminishing light output by a few percent at most. We have spelled out an example in other *ex parte* presentations.

ISM is the only FCC-regulated radio service without power restrictions — a last vestige of earlier days when there was plenty of spectrum for everyone. But ever-increasing congestion has since necessitated sharing in most bands, including the ISM bands. The 2.4 GHz band is densely used by Part 15, in addition to ISM, and is also allocated to the radiolocation and amateur services. Today the public interest no longer supports a policy of unlimited emissions, especially for equipment that need not radiate at all to perform its function.

The Part 15 interests identified in this letter are willing to discuss alternatives to the emission limits specified above that might better serve the needs of both industries.

Ms. Magalie Salas, Secretary
December 1, 1998
Page 3

Kindly date-stamp and return the extra copy of this letter.

If there are any questions about this filing, please call me at the number above.

Respectfully submitted,


Mitchell Lazarus

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